

FILE

19-1806-TR-CVF

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## HOWARD A. ELLIOTT

218 SOUTH MAIN STREET FINDLAY, OHIO 45840

419-420-0000 (Phone) 419-420-0001 (Fax)

theboyes@aol.com

September 19, 2019

Public Utilities Commission Office  
ATTN: Docketing Division  
180 E Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

Re: *In the Matter of: Mahmoud M. Elkattan*  
5735 Kingsbury St  
Dearborn, MI 48127  
Case No. OH0163000392D

PUCO

2019 SEP 20 PM 12:44

RECEIVED-DOCKETING DIV

To Whom It May Concern:

Enclosed herewith please find a Request for Administrative Hearing regarding the above captioned matter.

After filing the enclosed, please forward file-stamped copies to my office in the enclosed self-addressed envelope.

Sincerely yours,

Howard A. Elliott

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician mm Date Processed 09/20/19

2019 SEP 20 PM 12:44

PUCO

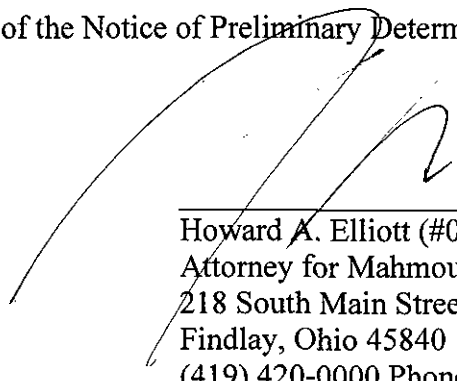
## IN THE PUBLIC UTILITIES COMMISSION, OHIO

In the Matter of: **Mahmoud M. Elkattan**  
**5735 Kingsbury St**  
**Dearborn, MI 48127**

Case No. OH0163000392D

**REQUEST FOR**  
**ADMINISTRATIVE**  
**HEARING**

Now comes, Mahmoud M. Elkattan, by and through Howard A. Elliott his counsel, pursuant to the Notice of Preliminary Determination of the Public Utilities Commission dated August 24, 2019, he objects to same and requests that an Administrative Hearing be conducted on the facts and circumstances and allegations of the Preliminary Determination by the Commission. The undersigned is acting as counsel for Mahmoud M. Elkattan and all notices shall be directed through counsel, his office address is below. A copy of the Notice of Preliminary Determination is attached hereto as an Exhibit.



Howard A. Elliott (#0034465)  
Attorney for Mahmoud M. Elkattan  
218 South Main Street  
Findlay, Ohio 45840  
(419) 420-0000 Phone  
(419) 420-0001 Fax  
[theboyes@aol.com](mailto:theboyes@aol.com)

**HOWARD A. ELLIOTT**  
ATTORNEY-AT-LAW

218 S. MAIN STREET  
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**Public Utilities  
Commission**

Sam Randazzo, Chairman

Commissioners

M. Beth Trombly  
Lawrence K. Friedman  
Dennis P. Detlefsen  
Daniel R. Conway

August 24, 2019

MAHMOUD M ELKATTAN  
5735 KINGSBURY ST  
DEARBORN, MI 48127

RE: **NOTICE OF PRELIMINARY DETERMINATION**  
Case No. OH0163000392D

Dear Sir or Madam:

On 05/27/2019, a vehicle operated by K C LOGISTICS INC, and driven by, ELKATTAN, MAHMOUD M was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified MAHMOUD ELKATTAN pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against MAHMOUD ELKATTAN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
392.80 A	Group 4	Driving a commercial motor vehicle while Texting	\$ 250.00
<b>Original Amount Due:</b>			<b>\$250.00</b>

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which MAHMOUD ELKATTAN had a full opportunity to present reasons why the violation(s) did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed to be taken by the Staff.

As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against MAHMOUD ELKATTAN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
392.80 A	Group 4	Driving a commercial motor vehicle while Texting	\$ 250.00
<b>New Amount Due:</b>			<b>\$250.00</b>

180 East Broad Street  
Columbus, Ohio 43215-3793

(614) 466-3016  
www.PUCO.ohio.gov

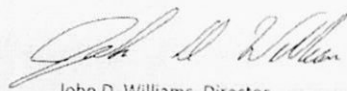


Within 30 days of this notice you must either: 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing.

Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). Such failure shall also constitute a waiver of your right to further contest liability to the State of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's Office for collection. In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.

Please consult the enclosed instruction sheet for additional information regarding this "Notice of Preliminary Determination."

Sincerely,



John D. Williams, Director  
Transportation Department

cc: Michael Hines

